

REMARKS

The present invention relates to a method of handling incoming calls over a wireless communications network. The network includes a voice message mailbox system where the user may store a plurality of customized voice messages. Associated with each message is an identifier. The identifiers are also associated with one or more predetermined phone numbers that are stored on the user's wireless communications device. When the user receives an incoming call from a remote party, the wireless communications device selects an identifier associated with the phone number of the incoming call, and transmits the identifier to the network as a series of bits in a registration frame. The network then directs the incoming call to the voice message mailbox system, and renders the customized message associated with the selected identifier to the remote party. Thus, a user can determine the disposition of an incoming call (i.e., sending a caller to a voice mailbox system) based on the identity of the calling party from the user's wireless communications device, and which pre-recorded message the calling party hears based on the identity of the calling party from the user's wireless communications device.

The Examiner rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Chow in view of Arbel and in further view of Parsons. Claim 5 recites, "selecting, at the wireless communications device, one of a plurality of pre-recorded messages to play back to a caller of the incoming call ... [and] ... transmitting an identification of the selected pre-recorded message to the wireless communications system over the control channel." The Examiner admits that Chow fails to teach storing a plurality of messages at the network. However, it is important to note that Chow also fails to teach or suggest a user selecting and transmitting the identity of a particular voice mailbox message over the control channel to the network to play back to the calling party.

Chow discloses a Centrex-like system specifically for wireless communications devices wherein users equipped with a wireless device can enable/disable Centrex functionality. This

functionality includes directing the call to a voice mailbox system. However, Chow simply discloses that a user manually enables/disables functionality that instructs a local digital switch (LDS) where to route an incoming call. A user in Chow never selects a particular message to the calling party, and never transmits the identity of a selected message over the control channel to the network. In fact, Chow renders the same voice message to all calling parties once they have been forwarded to the voice mail system as is conventional.

Arbel discloses storing a plurality of pre-recorded messages at the network, but like Chow, fails to teach or suggest that the user's wireless communications device selects and transmits a particular pre-recorded message over the control channel to the network. According to Arbel, a user pre-provisions a network database to associate various messages with pre-determined phone numbers. Further, it is the network in Arbel that selects a voice message to render to the calling party – not the user via the user's wireless communications device. Whatever message is played depends solely on information stored in the network database, never on information stored on the user's communication device. Thus, Arbel does not need to transmit the identity of a selected message to the network, and the Examiner never suggests that it does.

Parsons discloses a hold-termination method by which a party that is placed on hold (i.e., the holding party) can leave a message for the party that placed him on hold (i.e., the hold initiating party) during an on-going call. When the hold initiating party returns to the call, the method of Parsons delivers the recorded message to the hold initiating party. It appears as though the Examiner uses the Parsons patent merely to show that that the holding party may select a pre-recorded message using DTMF digits and transmit the digits to the network. However, the patent to Parsons says nothing about transmitting the DTMF digits to the network over the control channel as is required by claim 5. Rather, Parsons monitors the voice channel for a call signal using a specialized hold termination system to determine if the user has sent DTMF signals. This is evidenced in column 4 of Parsons, lines 4-7, where Parsons discloses

monitoring the call signal to “detect when the hold initiating party begins to talk.” Indeed, DTMF digits are audible, and thus, it makes sense that Parsons monitors the voice channel. Thus, any DTMF signals in Parsons that may be used to select a pre-recorded message are not sent over the control channel. Moreover, there is nothing in Parsons to suggest otherwise. As such, Parsons, like Chow and Arbel, fails to teach or suggest the requisite “transmitting” limitation of claim 5.

Therefore, none of the references teach or suggest, alone or in combination, each and every limitation of claim 5. This is enough to have the § 103 rejection withdrawn. In addition, however, scrutiny reveals that the references cannot be combined as the Examiner suggests. Chow teaches that a signal may be transmitted over the control channel, but explicitly teaches doing so to “delay the allocation of a voice channel to a called party until when, if at all, the incoming call to the called party requires a voice channel.” Chow, col. 4, ll. 43-54 (emphasis added). Thus, the patent to Chow discloses a method that necessarily occurs prior to call connection. The method of Parsons, in contrast, is only for calls that get placed on hold – after the call has been connected. On-hold calls are necessarily connected, and thus, already have a voice channel allocated. One skilled in the art would never combine a reference that teaches what to do after the voice channel is allocated with a reference that teaches how to prevent the allocation of a voice channel by re-routing the call.

As such, none of the references cited by the Examiner teach or suggest, alone or in combination, claim 5. Accordingly, Applicant respectfully requests the allowance of claim 5, as well as its dependent claims 6-12.

The Examiner also rejected claim 13 citing the same references and similar reasoning as stated above for claim 5. However, claim 13 contains language similar to that of claim 5. Thus, for the reasons stated above, none of the references cited by the Examiner teach or suggest, alone or in combination, claim 13. Accordingly, Applicant respectfully requests the allowance of claim 13 and its dependent claims 14-23.

Finally, the subject matter of several dependent claims are neither taught nor suggested by the cited references. Claims 6 and 15, for example, require that the wireless communication device transmit an identification of a particular pre-recorded message as a plurality of bits in a registration frame. The Examiner states that because Chow discloses sending the routing order via the control channel, it would have been obvious to send the identity of a pre-recorded message as a plurality of bits in a registration frame. However, Chow does not reveal how the order is transmitted over the control channel. With all due respect, this assertion is unsupported by the references and could only come from Applicant's own disclosure. If the Examiner disagrees, the Examiner is specifically requested to show support for the assertion (e.g., in the form of a cite). Therefore, claims 6 and 15 are also allowable over the cited references.

In light of these remarks, Applicant respectfully requests the allowance of all pending claims 5-23.

Respectfully submitted,

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Dated: September 9, 2004

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